

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

WILLIAM R. ROBINSON, JR.,

Plaintiff,

v.

No. 04-CV-993  
(FJS/DRH)

Commissioner of Social Security,

Defendant.

---

APPEARANCES:

OF COUNSEL

CONBOY, McKAY, BACHMAN &  
KENDALL, LLP  
Attorney for Plaintiff  
307 State Street  
Carthage, New York 13619

LAWRENCE D. HASSELER, ESQ.

HON. GLENN T. SUDDABY  
United States Attorney  
for the Northern  
District of New York  
Attorney for Defendant  
100 South Clinton Street  
Syracuse, New York 13261-7198

WILLIAM H. PEASE, ESQ.  
Assistant U.S. Attorney

**FREDERICK J. SCULLIN, JR., S.J.:**

**DECISION AND ORDER**

The above-captioned matter having been presented to me by the Report-Recommendation and Order of Magistrate Judge David R. Homer filed April 16, 2007 and the Court having reviewed the Report-Recommendation and the entire file in this matter, and no objections to said Report-Recommendation and Order having been

filed, it is hereby

**ORDERED**, that the Report-Recommendation and Order of Magistrate Judge David R. Homer filed April 16, 2007 is **ACCEPTED** in its entirety, for the reasons stated therein, and it is further

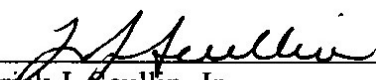
**ORDERED**, that the Commissioner's decision denying disability benefits is **AFFIRMED**, and it is further

**ORDERED**, that the plaintiff's motion for a finding of disability is **DENIED**, and the Commissioner's cross-motion is **GRANTED**, and it is further

**ORDERED**, that the Clerk of the Court is to enter judgment in favor of Defendant and close this case.

**IT IS SO ORDERED.**

DATED: May 16, 2007  
Syracuse, New York

  
\_\_\_\_\_  
Frederick J. Scullin, Jr.  
Senior United States District Court Judge